

Federal agencies regarding the potential to demonstrate technologies resulting from activities funded through ARPA-E.

(j) Advice

(1) Advisory committees

The Director may seek advice on any aspect of ARPA-E from—

- (A) an existing Department of Energy advisory committee; and
- (B) a new advisory committee organized to support the programs of ARPA-E and to provide advice and assistance on—
 - (i) specific program tasks; or
 - (ii) overall direction of ARPA-E.

(2) Additional sources of advice

In carrying out this section, the Director may seek advice and review from—

- (A) the President's Committee of Advisors on Science and Technology; and
- (B) any professional or scientific organization with expertise in specific processes or technologies under development by ARPA-E.

(k) ARPA-E evaluation

(1) In general

After ARPA-E has been in operation for 4 years, the Secretary shall offer to enter into a contract with the National Academy of Sciences under which the National Academy shall conduct an evaluation of how well ARPA-E is achieving the goals and mission of ARPA-E.

(2) Inclusions

The evaluation shall include—

- (A) the recommendation of the National Academy of Sciences on whether ARPA-E should be continued or terminated; and
- (B) a description of lessons learned from operation of ARPA-E.

(3) Availability

On completion of the evaluation, the evaluation shall be made available to Congress and the public.

(l) Existing authorities

The authorities granted by this section are—

- (1) in addition to existing authorities granted to the Secretary; and
- (2) are not intended to supersede or modify any existing authorities.

(m) Funding

(1) Fund

There is established in the Treasury of the United States a fund, to be known as the “Energy Transformation Acceleration Fund”, which shall be administered by the Director for the purposes of carrying out this section.

(2) Authorization of appropriations

Subject to paragraphs (4) and (5), there are authorized to be appropriated to the Director for deposit in the Fund, without fiscal year limitation—

- (A) \$300,000,000 for fiscal year 2008; and
- (B) such sums as are necessary for each of fiscal years 2009 and 2010.

(3) Separate budget and appropriation

(A) Budget request

The budget request for ARPA-E shall be separate from the rest of the budget of the Department.

(B) Appropriations

Appropriations to the Fund shall be separate and distinct from the rest of the budget for the Department.

(4) Limitation

No amounts may be appropriated for ARPA-E for fiscal year 2008 unless the amount appropriated for the activities of the Office of Science of the Department for fiscal year 2008 exceeds the amount appropriated for the Office for fiscal year 2007, as adjusted for inflation in accordance with the Consumer Price Index published by the Bureau of Labor Statistics of the Department of Labor.

(5) Allocation

Of the amounts appropriated for a fiscal year under paragraph (2)—

- (A) not more than 50 percent of the amount shall be used to carry out subsection (e)(3)(D);
- (B) at least 2.5 percent of the amount shall be used for technology transfer and outreach activities; and
- (C) no funds may be used for construction of new buildings or facilities during the 5-year period beginning on August 9, 2007.

(Pub. L. 110-69, title V, §5012, Aug. 9, 2007, 121 Stat. 621.)

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